



12013/59001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Robert E. RICHARD

Group Art Unit: 1762

Application No.: 09/879,216

Examiner: Michener

Filed: June 13, 2001

Docket No.: 12013/59001

For: USING SUPERCRITICAL FLUIDS TO INFUSE
THERAPEUTIC ON MEDICAL DEVICE

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RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

The undersigned files this paper in response to the June 20, 2002 Office Action, which set a shortened statutory period of response of one month extending to and including July 22, 2002.

The Office Action asserts that restriction "is required under 35 U.S.C. § 121" and identifies three groups of inventions.

In response and without prejudice to or disclaimer of the non-elected claims, the undersigned elects group I (claims 1-15) for further prosecution on the merits.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees related to this communication to Kenyon & Kenyon deposit account No. 11-0600.

Respectfully submitted,

KENYON & KENYON

[Handwritten signature of Douglas E. Ringel]

Douglas E. Ringel
Reg. No. 34,416

Date: July 25, 2002